

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
WEST PALM BEACH DIVISION**

**CASE NO. 24-80860-CIV-CANNON/McCabe**

**ANGEL ROSARIO,**

Plaintiff,

v.

**TRANSUNION LLC,**

Defendant.

/

**ORDER ACCEPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION**

**THIS CAUSE** comes before the Court upon Magistrate Judge McCabe's Report and Recommendation on Defendant's Motion to Dismiss (the "Report") [ECF No. 28], filed on October 25, 2024. On August 30, 2024, Defendant filed a Motion to Dismiss Plaintiff's Second Amended Complaint (the "Motion") [ECF No. 23]. On October 25, 2024, following referral, Magistrate Judge McCabe issued a Report recommending that the Motion be denied [ECF No. 28]. Objections to the Report were due on November 8, 2024 [ECF No. 28 p. 8]. No party filed objections, and the time to do so has expired.

To challenge the findings and recommendations of a magistrate judge, a party must file specific written objections identifying the portions of the proposed findings and recommendation to which objection is made. *See Fed. R. Civ. P. 72(b)(3); Heath v. Jones*, 863 F.2d 815, 822 (11th Cir. 1989); *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). A district court reviews de novo those portions of the report to which objection is made and may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge. 28 U.S.C. § 636(b)(1). To the extent a party fails to object to parts of the magistrate judge's report,

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the Court may accept the recommendation so long as there is no clear error on the face of the record. *Macort*, 208 F. App'x at 784. Legal conclusions are reviewed de novo, even in the absence of an objection. See *LeCroy v. McNeil*, 397 F. App'x 554, 556 (11th Cir. 2010); *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994).

Following review, the Court finds no clear errors of law or legal errors in the well-reasoned Report. Accordingly, for the reasons set forth in the Report [ECF No. 28], it is hereby

**ORDERED AND ADJUDGED** as follows:

1. The Report and Recommendation [ECF No. 28] is **ACCEPTED**.
2. The Motion [ECF No. 23] is **DENIED**.
3. On or before **December 9, 2024**, Defendant shall file its answer to Plaintiff's Second Amended Complaint [ECF No. 22].

**DONE AND ORDERED** in Chambers at Fort Pierce, Florida this 19th day of November 2024.



AILEEN M. CANNON  
UNITED STATES DISTRICT JUDGE

cc: counsel of record